

TRYING TO GET RID OF ONE OF THE GEAR HUI

Strong Grounds in Support of the Motion to Save the Campbell Estate.

(ASSOCIATED PRESS CABLEGRAMS.)

SAN JOSE, Jan. 21.—In the Campbell Estate suit Attorney Bird has filed affidavits supporting the motion to annul the appointment of one Gear as guardian of the minor heirs on the ground that he is not an acquaintance of the family and that all proceedings have been hostile to the interests of the minors, who have no estate in California.

WAINIHA VALLEY WATER FOR ELECTRICAL PURPOSES

W. A. Kinney, attorney for W. E. Rowell in the matter of his recent application to the Board of Supervisors of the Island of Kauai for a right of way over certain public highways on that island to transmit electricity, makes the following statement in regard to the proposed enterprise:

"The Island of Kauai has more water power than it can utilize for years to come. The greatest user of power on that island at present is the McBryde plantation which can, when fully developed, utilize twenty-five hundred horse-power. W. E. Rowell recently secured a fifty-year lease of the water power of Wainiha valley, owned by a hui of Hawaiians, who granted the lease on favorable terms, his intention being to generate electricity and transmit it to other parts of the island.

"The McBryde Sugar Company, on certain conditions, is willing to lease most of this electric power, and Mr. Rowell, with the aid and support of that company, is now seeking to secure a right of way for poles and wires to transmit electricity from Wainiha, which is on the windward side of the island, to the McBryde plantation, which is on the leeward side.

"The best route, according to the report of the engineers, is across the mountain from Wainiha through the Waimea district over government lands under lease to private parties. The plan was to go on certain trails claimed to be ancient public trails. Those in possession of the adjoining lands, however, claimed that the public have abandoned the use of these trails and that they are now nothing but private

trails maintained for their own convenience.

"The Board of Supervisors for Kauai, on the application of Mr. Rowell, decided the other day to assume the position that these trails had not been abandoned and were still public trails, and granted a license to Mr. Rowell to use the same for poles and wires. There was doubt as to their power to do so, but the Supervisors having specially pledged themselves to the voters of the Hanalei district, before election, to aid and promote this enterprise, and being in doubt as to the outcome of the County Act, decided to act promptly and put themselves on record unequivocally as favoring the prompt development of the Wainiha proposition, and ready to do anything in their power to help it along, and therefore, granted the license in question.

"The death of the County Act has nullified the license given except as a declaration of the desires and wishes of the electors on that island. Other steps are now being taken to overcome the difficulty about a right of way. Almost every native voter on Kauai heartily supports the proposition, and most of the voters among other races as well. It means handsome income for over one hundred natives from a right that heretofore gave no income at all. It will add \$2500 a year directly to the income of the government, in the way of taxes and twice that amount indirectly, and open the way for the development of power from other streams on that island, and enterprises that invariably start up where power is cheap, so that it seems only a question of time when the right of way will come."

CANNY SCOTS TQ LAUD BURNS

The Burns' concert of the Scottish Thistle Club in the Elks' Hall on Monday evening promises to be an entertainment of a high order, and apart from the special nature of the celebration, there will be many features enjoyable to others than admirers of the bard. Songs, speeches, recitations and violin and piano solos combine to make an excellent and well-balanced program.

Burns' songs will of course be given a prominent place. I. S. Dillingham singing "Scots Wha Hae," and J. L. Cockburn "There Was a Lad Born in Kyle." Stanley Livingston will also be heard in a Scotch song. The patriotic chord will be struck by J. F. Fenwick in "Old England, Home and King," and D. A. Mackintosh will appeal to the hearts of the Scottish "exiles" in "The Song of the Scottish Emigrant." A recitation by Dr. Humphris and a violin solo by W. A. Love are numbers which are sure to be greatly appreciated.

The list of speakers includes U. S. District Attorney R. W. Breckons, British Consul W. R. Hoare, W. L. Stanley and Wallace R. Farrington.

The Hepburn Pure Food bill, which has passed the House, has a special bearing upon trade in Territories. It can deal with that but not with the trade of individual States.

Dr. Humphris informs the Advertiser that the name of the English Viscount who was mentioned in the cablegrams as Helmsley is probably Helmsley.

Stella—Cholly hasn't any originality. Bella—Not the slightest. Why, I submitted his love letters to three publishers and they all refused them.

NO EXTRA SESSION

Auditor Fisher Shows the Senate That the Government Can Get Along Comfortably on Basis of Appropriation Bill.

There will be no extra session of the Legislature to pass new appropriation bills. This was practically settled at the adjourned meeting of Senators yesterday morning. Governor Carter was not present, being confined to a dentist's chair until within half an hour of his departure for the island of Hawaii, but the conclusion reached by the caucus was reported to him and, it is understood, he concurred therewith.

Auditor J. H. Fisher submitted a financial statement to the Senators, which convinced them that the government could be carried on, in a fairly satisfactory manner, without recourse to the Legislature in extra session. The Governor took this statement away with him, but its general tenor may be given in a few words.

Current receipts for the past twelve months have amounted to about \$2,400,000. It is figured that the revenue will run about the same this year and 1905. The average for the current eighteen months should thus be about \$2,600,000. Against this probable revenue of thirty-six hundred thousand dollars, there are appropriations amounting to forty-six hundred thousand dollars (\$4,600,000), or an excess of one million. It will not be necessary, however, to expend all of the appropriations. Some of them, in different departments, will not be used and what is thus saved will go toward effecting a parity between revenue and expenditure. The Governor has already arranged for considerable economy in various branches of the Territorial services.

If the beginning of next year be like the present time, the receipts for the first six months of 1905 will be \$650,000 or a little more, while for the second half of the year it would be about \$1,750,000. Expenditures should be gauged, therefore, so as to make the more prolific half of this year divide means with the semi-barren half of the ensuing year.

"The government can be continued without much trouble," Mr. Fisher said to an Advertiser reporter after stating the substance of his financial estimates.

"The Legislature meets anyway," the Auditor continued, "five months before the end of the biennial period, in regular session, so that there will be time to pass some new measures if particular appropriations have run out."

The arrangement practically decided on by the caucus of Senators, which will probably have much weight in setting the course of the executive, allows the Governor to go ahead under the eighteen months' appropriation bill so far as it is complete, reverting to the six months' bill as a basis of expenditure for necessary items not contained in the other measure.

It is understood that the Governor consents to having the departments go ahead under this arrangement, without waiting for the determination of a test case in the Supreme Court, which, however, is to be brought as soon as the Attorney General may find convenient.

A. V. GEAR WOULD LIKE TO BE MADE ASSESSOR

Hopes to Get the Appointment from Kepoikai. Sam Johnson for Road Supervisor in Place of Charlie Wilson—Vida Second.

A. V. Gear, who has been an intermittent candidate for office, is said to be out for the Assessorship. This appointment is within the gift of Kepoikai and Gear's friends are all working on the gentleman from Maui when the chance presents itself. So far no call has been made for the endorsement of the Republican organization and none will be needed if Kepoikai concludes to act independently. It is whispered that if Gear gets the Assessorship the big "missionary" corporations will not enjoy life to any hilarious extent.

The two Charleys—Wilson and Clark, Road Supervisor and Assistant Supervisor, respectively—were turned down squarely yesterday afternoon by the executive committee of the Territorial Central Committee. Sam Johnson, the present head of the Garbage Department, was recommended for appointment as Road Supervisor with Henry Vida as his assistant.

There were rumors about town yesterday that the change would take place as above, but it was not until about 5:30 that the result was announced. It was said that Sam Johnson had made direct application for the position of Road Supervisor. Mr. Johnson stoutly denied this and even before the meeting of the committee was held, he was not aware that he was to be given the backing of the committee for the position.

"I don't know where the idea came from that I was chasing after the job," said he at that time. "I heard early this morning that my name was mentioned, but I had been, and am now favoring another candidate. I am satisfied with my present position. The Road Supervisor's position calls for more work at the same pay, and there is more responsibility."

At the meeting of the executive committee Charley Wilson and Charley Clark both appeared accompanied by A. G. M. Robertson and T. M. Stewart, who represented their side of the case. The two Charleys tried to show that throughout the campaign they had been loyal to the party and had worked for it. After the departure of Wilson and Clark and their attorneys, the matter was thoroughly gone over with the result that the committee turned them down.

Then the matter of their successors was discussed. The names of Sam Johnson and Col. Zeigler were presented, resulting in a choice of Johnson on a vote of four to three.

Henry C. Vida was the choice for Assistant Road Supervisor. The selection of a man to fill the place now occupied by Johnson was not taken up.

Clarence Crabbe, chairman of the committee, stated after the meeting that the position of Road Supervisor went to Johnson unsolicited. He said that many people had been of the opinion that Johnson had been "chasing" after the job, which was untrue.

Wm. Coney was named in the race for the Road Supervisorship but he met the usual Waterloo.

Health returns from the different districts of the Territory, by Government physicians, for the month of December have been tabulated by Registrar Lawrence. Amidst a general chorus of testimony that both sanitary conditions and the public health are good, there are a few echoes of the almost universal groans that dengue fever caused a year or so ago. They are so few, though, as to show that the Territory has become fairly rid of the annoying but comparatively innocuous distemper.

Dr. R. G. Curtis of Olua reports 16 cases of the dengue, also 11 cases of a malignant type of enteric fever, in that district. Dr. W. F. McConkey of Makawao, Maui, reports 9 cases of the dengue, and Dr. R. J. McGettigan of Hana, Maui, 6 cases. Hana is the only district where tuberculosis is said to be increasing, a negative answer being given to the question in that regard for all the others.

Dr. E. J. Dinegar of Kihel and Kula, Maui, reports a single case of scarlet fever. A Portuguese child had it, but with prompt quarantine nobody else.

Among the suggestions is one by Dr. McConkey that school children, through the teachers, might be enlisted to report unsanitary places.

"Didn't I order two portions of chicken, waiter?" "Yes, sir." "Then why is there only one cockroach?"

HOSPITALS HAVE NOTICE OF LOSS OF SUBSIDIES

Board of Health Reappoints Full List of Government Physicians—The Attorney General's Opinion on Question of Cemeteries.

It is up to the boards of trustees of the various hospitals in this Territory, such as lay claim to be purely public institutions, to consider what can be done toward meeting the deprivation of government subsidies. Yesterday the Board of Health received a communication from the Auditor, returning various hospital vouchers with the intimation that under the recent opinion of the Attorney General's department warrants thereupon could not be issued. All that the Board of Health could do about the matter was to instruct its secretary to forward the documents to the various boards of trustees of hospitals.

There were present at the meeting Dr. C. B. Cooper, president; Fred. C. Smith, Dr. W. H. Mays, Mark P. Robinson, John C. Lane and E. C. Winston, with C. Charlock, secretary, and Miss Mae Weir, stenographer, in attendance.

APPOINTMENTS OF PHYSICIANS.

Dr. R. J. Wilkinson by letter applied for the position of Government physician at Lihue, Kauai, and was appointed thereto. Dr. R. J. McLean was appointed physician for the adjacent district of Koloa.

Dr. L. L. Moore, on the favorable report of the board of medical examiners, was recommended for a license to practice.

Dr. J. C. Douglass sent in his resignation as physician for the districts of North and South Kona.

On acceptance of the resignation of Dr. R. P. Myers as member of the leper examining board, on account of departure, Dr. Sinclair was appointed in his place. The committee on dispensary was instructed to see Dr. Sinclair and ascertain if he would not act as both outdoor and indoor physician for Honolulu at an increase of salary.

In consequence of the overthrow of the County Act, the Board reconsidered its action in dismissing Government physicians. It reappointed the entire list as follows:

Kauai—Dr. B. F. Sandow, Waimea; Dr. C. R. McLean, Koloa; Dr. R. J. Wilkinson, Koloa; Dr. F. L. Putnam, Kealia and Hanalei.

Oahu—Dr. A. N. Sinclair, Honolulu; Dr. C. A. Davis, Ewa; Dr. Thos. McMillan, Waianae; Dr. H. Wood, Waiakoa; Dr. C. A. Peterson, Koolauoko and Koolauloa.

Maui, etc.—Dr. A. Mouritz, leeward Molokai; Dr. J. Molony, Lahaina; Dr. J. Weddick, Wailuku; Dr. R. H. Dinegar, Kihel and Kula; Dr. W. F. McConkey, Makawao; Dr. R. J. McGettigan, Hana.

Hawaii—Dr. B. D. Bond, North Kohala; Dr. J. Atcherley, South Kohala; Dr. C. B. Greenfield, Hamakua; Dr. Frederick Irwin, North Hilo; Dr. C. L. Stow, Hilo; Dr. R. G. Curtis, Olua; Dr. J. Holland, Puna; Dr. D. S. McCarthy, Kau. North and South Kona, vacant.

FEDERAL COOPERATION.

Upon the matter of soliciting the cooperation of the Federal Government in obtaining expert investigation of leprosy, Dr. L. E. Cofer, chief of the U. S. Marine Hospital Service here, was added to the committee of medical members of the Board.

Dr. Cooper incidentally remarked his intention, to visit the St. Louis Exposition and, if he could so arrange, proceed to Washington, where he should endeavor to lay the matter before Surgeon General Wyman.

PETITIONS, ETC.

The letter of Mrs. Kaafali Nu, submitted at a former meeting, was retired upon the secretary's file. It denounced her own children to the authorities as subjects for removal to the settlement. Superintendent McVeigh had reported on her petition to be allowed an attendant in a way that rather discredited any information from her. Her petition was denied, as she is well cared for at the Bishop Home.

Mr. McVeigh was granted further time to report on the petition of Mrs. E. M. Hanuna. The petition of Sam Ben for a helper was denied.

On the strength of a letter from J. M. Hering, Hilo fish inspector, Mr. Lilikane was appointed assistant fish inspector there in place of his son, Sam. Lilikane, who had died.

A petition of Wing Hop Co. for leave to open a fish market in Beretania street was granted as the Board considered it had only to do with the sanitary conditions of such places when established.

VARIOUS MATTERS.

The Board on consideration of the subject voted to fix the salaries of sanitary inspectors at \$85 a month.

A letter from the Governor was read, announcing the abandonment of the Palolo site for the new insane asylum as previously reported in the Advertiser. Dr. Cooper mentioned that the stone crusher was to be removed from the old premises, certain immediately necessary repairs to the buildings made and, as soon as possible, new main structures erected upon the old site at Palama.

A letter was received from W. O. Smith, trustee, regarding a privately owned house at Kalaupapa, and the matter was voted to be left in Mr. Smith's hands.

A report was received from Attorney General Andrews on Hilo lands formerly complained of, which was to the effect that the superintendent of Public Works would abate the nuisance by having the lands drained.

HOSPITAL SUBSIDIES.

Following is a list of the vouchers for subsidies to hospitals, etc., already referred to, upon which Auditor J. H. Fisher by letter intimated he could not issue warrants:

Eleele Hospital, Dec. 31, \$75; Lihue Hospital, Dec. 31, \$150; Queen's Hospital, Dec. 31, \$1666.67, and Nov. 30, \$1666.67; Leahi Home, Oct. 31, \$500, and Nov. 30, \$500, and Dec. 31, \$500; Kaplan Maternity Home, Nov. 30, \$500, and Dec. 31, \$500; Waimea Hospital, \$145.95.

THE CEMETERIES QUESTION.

A report was received from Attorney General Andrews on the question of the Board's power to deal with overcrowded burial places. He quotes the law giving the Board of Health authority to make regulations "for the interment of the dead, and respecting cemeteries and burying grounds," and concludes with this advice:

"Under these sections I believe that the passage of a resolution covering this question could be enforced in a court of law, and it is the duty of the Board to immediately take such action as will prevent the further conduct of cemeteries in a manner deleterious to the public health."

AN OPIUM SUPPLY.

Regarding a letter from Clerk D. Porter, of the Fourth Circuit Court, Hilo, in which the writer said he was shipping, in care of Purser Beckley of the steamer Kinuau, twenty tins of opium seized in course of justice, the Attorney General made a report, saying:

"Ordinarily such opium would be used as evidence in the case, but I presume it is no longer needed from the fact that it is forwarded to the Board of Health. If the same is intended for a present, I see no objection to the Board of Health taking the same and using it, if necessary, in the Government dispensary, otherwise I know of no way in which such property could legally come into the hands of the Board of Health."

The Board decided to take steps for securing possession of the opium for use as suggested by the Attorney General.

PESTILENCE IN ORIENT.

Dr. Cofer's reports on health conditions in the Orient were the best for a long time past. Hongkong was clean, the last plague cases being two reported inside of two weeks to Dec. 18. Kobe, Nagasaki and Yokohama were clean in reports by two succeeding mails. Shanghai alone had pestilence, consisting of one new case and seven deaths of smallpox in the two weeks to Dec. 27.

ROYALTY ALWAYS HAS PEWS RESERVED

Editor Advertiser: An evening paper of yesterday contained an item which stated that the Board of Directors of the Protestant Episcopal church had set apart a "free pew" in St. Andrew's Cathedral for the ex-Queen.

This is an error for the reason that all pews are free in the Cathedral, there being no rented pews.

From the time the Cathedral was built, in fact in the old pro-Cathedral also, there have been always seats set apart for the King or Queen and household.

HENRY B. RESTARICK.

ST. PETERSBURG, Jan. 20.—Diplomats are agreed that the situation is improving. It is admitted that American diplomacy has been victorious in Manchuria.

LONDON, Jan. 20.—European capitals incline to the belief that there will be a peaceful issue in the Orient.

TOKIO, Jan. 19.—The Russian reply to Japan's latest note will, it is expected, make concessions, but it is possible that they will be insufficient to prevent hostilities.

PORT ARTHUR, Jan. 19.—A column of Russian troops numbering 4,000 men will leave for the northward tomorrow. Their destination is unknown.

SEOUL, Jan. 19.—The anti-foreign feeling is increasing. It is expected that demonstrations of violence will soon be made. It is likely that various legation guards will be increased.

(ASSOCIATED PRESS CABLEGRAMS.)